

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.127 OF 2006

Kashiram Dhanaji Sawant & anr. ...Appellants

Vs.

Keru @ Mahadeo Dhanaji Sawant & Ors. ...Respondents

Mr.Sachin Punde for the Appellants

Mr. for the Respondents.

CORAM: A.S.OKA, J.

DATED: MAY 5, 2006.

P.C.:

1. Heard Shri Punde for the Appellants. He submitted that the Courts below have not recorded any finding on the issue of existence of nucleus. He submitted that the findings of the Courts below are perverse. The Courts below have recorded concurrent findings of fact that the suit property is a joint family property which can be subjected to the partition. While dealing with the said issue, the Courts below have elaborately considered the oral and documentary evidence on record and have come to conclusion that the nucleus was available.

2. No substantial question of law arises in view of concurrent findings of fact recorded by the Courts below. Second Appeal is dismissed with no order as to costs.

Judge .